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**From:** Faeth, Lisa

**Sent:** Wed 2/5/2014 4:07:21 PM

**Subject:** News Articles (For EPA Distribution Only)

## **BNA DAILY ENVIRONMENT REPORT ARTICLES**

### **EPA National Analysis Shows 12 Percent Drop in Toxic Releases From 2011 to 2012**

On-site and off-site toxic substances releases from industrial facilities dropped roughly 12 percent from 2011 to 2012, according to a National Analysis of Toxics Release Inventory data released Feb. 4 by the Environmental Protection Agency....

### **NTP Announces Webinar on TCE Cancer Studies**

The National Toxicology Program will hold a webinar March 17 regarding human studies of trichloroethylene, a chemical mainly used as a metal cleaner and degreaser. The webinar, titled "Human Cancer Studies on Exposure to Trichloroethylene..."

### **Data Deficit on Elk River Chemicals Shows Need for TSCA Reform, Legislators Say**

Members of a House subcommittee pointed Feb. 4 to the lack of toxicity data and other information on chemicals that recently contaminated drinking water for hundreds of thousands of West Virginia residents as illustrating why the Toxic Substances...

## **INSIDE EPA.COM ARTICLES**

### **Bipartisan House Talks Seek To Bolster TSCA Reform Bill's Prospects**

A group of House Democrats is in talks with Republicans on the House energy panel to craft a bill reforming the Toxic Substances Control Act (TSCA), an effort they hope can win broad bipartisan support and overcome opposition to pending reform efforts from top Democrats, including Sen. Barbara Boxer (D-CA) and Rep. Henry Waxman (D-CA).

## **GREENWIRE ARTICLES**

### Momentum growing for TSCA reform bill, Senate sponsors say

Senate sponsors of a bipartisan bill that would overhaul government regulation of chemicals said today they've made "significant strides" on the measure and hope to have new language out soon.

Sen. David Vitter (R-La.) said he's been working with Sen. Tom Udall (D-N.M.) and others over the last eight months to rework his "Chemical Safety Improvement Act," or CSIA ([S. 1009](#)). Those discussions have brought input from states, environmental groups, businesses and other stakeholders, he said.

### Poor blacks, Hispanics more exposed to potentially harmful cleaners -- CDC

Low-income blacks and Hispanics are more likely to be exposed to two remnants of chemicals used in toilet deodorizers, moth repellents and a weed killer that researchers suspect can cause cancer, according to a new study.

The chemicals -- 2,5-DCP, a breakdown product of 1,4-Dichlorobenzene, which is found in some air fresheners, toilet and urinal disinfectant blocks, and mothballs; and 2,4-DCP, used to make an herbicide linked to hormone disruption, reproductive problems and lymphomas in humans and animals -- pose a greater threat to lower-income groups because they are primarily used in cheaper household products, according to research from the Centers for Disease Control and Prevention.

## **CHEMICAL WATCH ARTICLES**

### **US House TSCA reform hearing centres on chemical data**

Witnesses debate issues thrown up by West Virginia spill

A House subcommittee hearing on reform of the US Toxic Substances Control Act (TSCA) has heard that the Environmental Protection Agency (EPA) needs greater flexibility in calling for

chemical testing and expanded data reporting under sections 4 and 8 of the regulation ([CW 14 November 2013](#) and [CW 14 November 2013](#)).

In his opening remarks to the fifth hearing on the reform of the act, Congressman Henry Waxman (Democrat-California) warned in that there may be no reform of legislation if Republicans writing the bill for the subcommittee on Energy and Commerce do not address concerns raised by Democrats, whose input is not being sought.

Chairman John Shimkus (Republican-Illinois) responded at the end of the hearing with the admonition, "Don't let the perfect be the enemy of the good."

In between, industry and advocacy witnesses agreed the EPA should not have to enter lengthy rule making procedures to require further testing, including for new and legacy chemicals, but they differed on the extent of testing that should be required.

Industry witnesses, including Beth Bosley, president of Boron Specialties and representing the Society of Chemical Manufacturers and Affiliates (Socma), and Charles Drevna, president, American Fuel and Petrochemical Manufacturers, argued that the EPA should have flexibility for targeted assessment of chemicals, but warned that a blanket approach would be uneconomical.

"We should avoid approaches that would treat the vast universe of TSCA chemicals and uses like the far narrower universes of food additives, drugs and pesticides. In particular, the sheer number of new chemicals that are submitted to EPA each year and the constantly evolving universe of new uses mean that the detailed scrutiny and use-by-use approvals that make sense for food additives, drugs and pesticides will never work for industrial chemicals more generally," said Ms Bosley.

However, new testing technologies give the EPA tools to better measure toxicology and should be available for chemicals already on the market, said Dr Jerry Paulson of the American Academy of Pediatrics. He also indicated that testing should take into account how chemicals affect populations until they have physically matured at around 25 years of age.

The recent chemical spill in West Virginia also raised the issue of whether toxicity testing needs to go beyond workplace exposure ([CW 16 January 2014](#)). Tests performed by Eastman on 4-methylcyclohexanemethanol (MCHM) included those for cancer and acute oral toxicity, both of which are used to assess risks in the workplace.

Developing and reporting data on hazard and exposure should be included in any new regulation, said Jennifer Sass, senior scientist at the Natural Resources Defense Council.

Ms Sass, along with other witnesses and Democratic members of the subcommittee, continually brought up the January spill of MCHM and related compounds into the Elk River in West Virginia.

Dr Paulson said that Eastman Chemical provided some information about the seven constituents in crude MCHM, but that it took regulators some time to analyse the data. He added that a

quicker response by health officials would have been possible if regulators had had the data before the spill.

Ms Sass said toxicity information provided by Eastman included results only, and lacked data on methodologies required for independent analysis.

Eastman was not represented at the hearing, but told *Chemical Watch* that it limited initial disclosure of "full information to emergency responders", including the safety data sheet, proprietary toxicity studies, and availability to in-house experts, to avoid public confusion that might have been caused with information coming from both public officials and the manufacturer.

## **Martin Zook**

### **Further Information**

[Hearing press release](#)

[Hearing and testimonies](#)

[Comment on this article in the Forum »](#)

### **EU Commission confirms current restrictions on DINP and DIDP**

No additional risk management measures needed

The European Commission has concluded that the current restrictions on di-iso-nonyl phthalate (DINP) and di-iso-decyl phthalate (DIDP) in toys should be maintained, after a revision process that took five years.

Entry 52 of Annex XVII of REACH restricts the use of DINP, DIDP and di-n-octyl phthalate (DNOP) in toys and childcare articles that children can place in their mouth. The restrictions were put in place in 2005. A revision clause requested the European Commission to review the restriction by 16 January 2010 in light of new scientific information on the three substances.

The European Commission asked ECHA to review the three substances ([CW 30 August 2013](#)).

The agency found that there was no reason to review DNOP as no registration dossier for the substance was submitted in the 2010 registration deadline, and thus the phthalate was not used in the EU anymore. ECHA then decided to review only the restriction of DINP and DIDP.

“A risk from the mouthing of toys and childcare articles with DINP and DIDP cannot be excluded if the existing restriction were lifted,” the agency concluded, and the European Commission has backed this conclusion in a decision published on 31 January. The restriction will thus be maintained.

Moreover, ECHA and the European Commission have concluded that there was no considerable risk resulting from children’s exposure to the two substances if they were present in school materials such as erasers. ECHA has also noted that there was no risk for children resulting from combined exposure to the two phthalates from food and indoor dust.

The agency and the Commission also evaluated the risk posed to adults by exposure to articles containing the phthalates that come into direct contact with the skin. These are items such as garments, plastic bags and shower curtains. They concluded that there were no risks for adults, or the foetus in case of a pregnant woman.

The use of sex toys containing the two phthalates will not expose adults to any risk, according to the European Commission’s conclusion. “Exposure from food and the indoor environment are not very significant in the adult population, which is confirmed by the available biomonitoring data,” ECHA added.

The European Commission has thus decided that the current restrictions on DINP and DIDP in toys that could be mouthed by children was appropriate, and that no other risk measures were necessary to handle adults and children's exposure to the two chemicals from other sources.

“We were disappointed that the restrictions of DINP and DIDP on toys and childcare articles which can be placed in the mouth were maintained,” Dr Stéphane Content, manager at the European Council for Plasticisers and Intermediates (ECPI) told *Chemical Watch*. “ECHA took a conservative approach for all the risk assessment parameters – for safety or assessment factors they took a total factor of 200 compared to 40 recommended by independent experts,” he said.

However, according to Dr Content, the ECPI was happy that the European Commission concluded that current applications of the two substances did not present any risks for consumers. “This provides strong reassurances in terms of DINP and DIDP’s safety,” he added.

But Lisette van Vliet, senior policy advisor for chemicals at the NGO Health & Environment Alliance (HEAL) does not agree. “The European Commission was beset by a tunnel vision in light of the emerging knowledge about mixtures toxicity and additivity between chemicals,” she told *Chemical Watch*. According to her, DINP is suspected to be an endocrine disrupting chemical, with effects on reproduction and development reported in scientific studies. “Why would we consider this a suitable substance to be used in children’s toys and childcare articles?” she asked.

## **Further Information**

[European Commission conclusions](#)

[ECHA final report](#)

[Comment on this article in the Forum »](#)

## **ECHA consults on 14 REACH testing proposals**

ECHA is consulting on 14 REACH testing proposals for nine substances.

The proposals cover reproductive developmental toxicity tests for:

- 2-(dimethylamino)-2-methylpropan-1-ol;
- 3,7-dimethyloctan-1-ol;
- benzyltrimethylammonium chloride;
- dichloromethylbenzene; and
- ethylene bis[3,3-bis(3-tert-butyl-4-hydroxyphenyl)butyrate].

Repro and sub chronic toxicity tests for:

- 3-ethyloxetane-3-methanol;
- 5-ethyl-1,3-dioxane-5-methanol; and
- adipohydrazide.

Repro, sub chronic and genetic toxicity tests for:

- dimethyl sebacate

The consultations run until 17 March.

## **Further Information**

[Testing proposals](#)

[Comment on this article in the Forum »](#)

### **US EPA issues Snurs for five chemical substances**

The US Environmental Protection Agency (EPA) has issued significant new use rules (Snurs) for five chemical substances. They are identified generically as complex strontium aluminate, and rare earth doped, and were the subject of premanufacture notices (PMNs).

The final rule is effective from 7 April 2014. The move requires persons who intend to manufacture, or process, any of these substances for an activity that is designated as a significant new use under the rule, to notify the EPA at least 90 days before starting.

The Snurs were proposed in June 2012 and the agency received several comments.

In response to these, the agency identified concerns regarding potential lung overload to workers from inhalation exposure to the PMN substances. These were based on analogy to the “new chemicals category” of respirable and poorly soluble substances, in particular the subcategory of titanium dioxide.

One comment said that the substances are not structurally analogous to titanium dioxide, and so data based on that substance does not justify a Snur for these chemicals. The agency responded that the EPA’s concern is based on how they act physically in the respiratory tract, not chemically nor on their chemical composition. The worry is about the ability of the substances to enter the deep lung via the inhalation of small particles.

According to the EPA, the metal compound titanium dioxide is a surrogate for most non-silica, crystalline poorly soluble respirable metal compound particulates, such as the PMN substances, that contain this type of crystalline structure.

## **Further Information**



[Federal Register](#)

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### **California lists trichloroethylene as a reprotoxin**

Trichloroethylene (TCE) is now listed by California's Proposition 65 as a reproductive toxicant. This listing is based on the identification by the US Environmental Protection Agency (EPA) of TCE as a chemical known to cause reproductive toxicity for developmental and male reproductive endpoints. California's Office of Environmental Health Hazard Assessment (OEHHA) made the listing using Proposition 65's authoritative bodies mechanism.

Supporting documentation is available through the OEHHA website ([CW 28 November 2013](#)).

TCE has been listed as a Proposition 65 carcinogen since 1988.

### **Further Information**

[OEHHA announcement:](#)

[Comment on this article in the Forum »](#)

### **New York State Assembly approves bill restricting TDCPP**

New York's State Assembly has unanimously approved a bill that would add tris (1,3-dichloro-2-propyl) phosphate (TDCPP) to the state's existing restriction of chlorinated flame retardants used in children's products.

The same bill was unanimously approved by the Assembly in 2013, but never cleared the state

Senate ([CW 3 May 2013](#)). The 2014 bill has now been referred to the Senate Environmental Conservation Committee. If Assembly Bill (AB 4741) passes into law, it will become effective on 1 December 2015.

New York's Tris-free children's and babies Act already sets restrictions on the use of tris (2-chloroethyl) phosphate (TCEP) in children's products.

## **Further Information**

[NY State Assembly bill 4741](#)

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## **US cheque book company settles in DEHP Proposition 65 case**

In California, a US cheque book manufacturer, has reached a settlement in a legal case centring on the presence of di(2-ethylhexyl)phthalate (DEHP) in its products. The company Deluxe Corporation was found to be using DEHP, which is listed in Proposition 65 as a carcinogen and developmental toxicant.

“Checkbook covers are touched or handled more often than many other products, and therefore may increase exposure to toxic chemicals,” says Cliff Chanler of the law firm Chanler Group, which handled the case. “We want to inform Californians and ensure that they are aware of potentially harmful chemicals in products that they use every day,” he adds.

According to the law firm, Deluxe will pay up to \$135,000 in fines, 75% of which will go to the State of California to support environmental and public health programmes.

“The quality and safety of our products are paramount. We do not believe that the use of any of our cheque book covers, as intended, creates any kind of health risk,” says a Deluxe Corporation spokesperson. The company adds that it is providing warnings consistent with California law and taking steps to reformulate the material used to cover its cheque books “in a timely manner”.

## **Further Information**

[Chanler Group announcement](#)

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## **US EPA takes further steps to improve IRIS**

4 February 2014 / United States, Risk assessment

The US EPA is putting into place further steps to improve the Integrated Risk Assessment System (IRIS) in line with recommendations made by the National Academy of Sciences (NAS) in 2011.

The Chemical Assessment Advisory Committee (CAAC), which is part of the agency's Scientific Advisory Board, will launch a new peer review processes for chemical health assessments. The process will begin 18 February as part of toxicology reviews of ammonia and trimethylbenzenes.

Two panels including CAAC members and subject matter experts will sit in concurrent sessions to assess toxicology drafts dated 13 August with the goal of establishing toxicity values.

The new process is the fifth and final step originally recommended by the NAS to improve and standardise IRIS toxicology reviews. Strategically, adoption of the toxicity assessment builds on hazard identification, exposure determination and human and animal mechanistic studies, which are also recommended by NAS.

## **Further Information**

[Federal Register notice](#)

[IRIS Toxicology and Reviews Process](#)

[Selection of Studies & Derivation of Toxicology Values](#)

[Hazard Identification](#)

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### **Efsa issues call for review of non-monotonicity studies**

The European Food Safety Authority (Efsa) has issued a call for proposals to review non-monotonic dose responses (NMDR) relevant to human risk assessment. The project, which is among a number just recently publicised, aims to evaluate studies supporting the theory that some substances do not follow a linear dose-response relationship on which traditional toxicology assessments are made. The authority says the project should examine studies relevant to food that have been conducted since 2002, and cover underlying modes of action producing the NMDR.

Proposals need to be submitted by the end of February. Once awarded, the work is expected to take 18 months.

### **Further Information**

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### **OTHER ARTICLES**

	<a href="#">EPA Toxic Substances Rules Discourage Recycling, Industry Expert Says</a> Broadway World
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	On those grounds, he said, the industry has concerns about the way EPA has implemented Section 8 of the <b>Toxic Substances</b> Control Act (TSCA).
	<p><u>EPA's 2012 Toxics Release Inventory Shows Air Pollutants Continue to Decline</u></p> <p>U.S. EPA.gov (press release)</p> <p>WASHINGTON - Total releases of <b>toxic chemicals</b> decreased 12 percent from 2011-2012, according to the U.S. Environmental Protection Agency's ...</p>